

REMARKS

In the Office Action, the Examiner rejected claims 1-17 under 35 USC §103. These objections and rejections are fully traversed below. In addition, Applicant has amended the claims to correct various typographical errors and to further clarify the subject matter regarded as the invention.

Applicant acknowledges that 18-43 have been withdrawn from consideration due to the previous restriction requirement. Claim 8 has been cancelled. Claims 1-7 and 9-17 remain pending.

Reconsideration of the application is respectfully requested based on the following remarks.

REJECTION OF CLAIMS UNDER 35 USC §103

In the Office Action, the Examiner rejected claims 1-17 under 35 U.S.C. 103(a) as being unpatentable over Heller et al, U.S. Publication No. 2002/0147837, ('Heller' hereinafter) in view of Zhang, U.S. Patent No. 6,810,259, ('Zhang' hereinafter), in further view of Rai et al, U.S. Patent No. 6,377,982, ('Rai' hereinafter).

Heller discloses proxy mobile node capability for Mobile IP. See title. Heller discloses receiving a link layer message from a mobile node. Mobile IP information is then obtained from a database based on the identity of the mobile node. A registration request is then sent on behalf of the mobile node. See paragraph [0018].

The Examiner admits that Heller fails to specify how the database obtains the stored information. As a result, Heller fails to disclose or suggest receiving information from another access point. The examiner seeks to cure the deficiencies of Heller with Zhang and Rai.

Zhang discloses a location update protocol. See title. More particularly, cache entries

are transferred or copied from one base station to another base station. See col. 5, lines 13-21. The cache entries include subscriber profile information. See Abstract. Each profile includes information necessary for executing call-processing operations associated with the subscriber. See col. 1, lines 31-41. However, location register information is not included in the subscriber profiles. See col. 1, lines 31-41. As a result, the cache entries that are copied do not include location information such as HLR or VLR information. Stated another way, the information that is transmitted is not associated with an access point. Rather, the cache entries including the subscriber profiles that are transmitted merely include information associated with subscribers (i.e., hosts). Accordingly, Zhang neither discloses nor suggests transmitting access point information identifying an access point subnet and a gateway among access points to notify the access points of those access points that are active (or no longer active).

In the Examiner's most recent communication, the Examiner asserts that Zhang transmits access point information among access points to "provide a location update protocol which reduces the load on the central server/database," citing col. 4, lines 46-53 of Zhang. However, it is important to note that the information that is transmitted in Zhang includes subscriber profile information (e.g., information associated with hosts), not information associated with access points. Moreover, col. 4, lines 46-53 merely state that this "reduces queries for subscriber profiles." Zhang in no manner discloses sending information regarding the base stations. Accordingly, Applicant respectfully submits that Zhang fails to disclose or suggest transmitting access point information regarding an access point to another access point.

The Examiner further cites col. 5, lines 22-33. However, this paragraph merely discusses a "mirror base station list" indicating at least one mirror of the base stations. More particularly, the base stations store a mirror subscriber profile list and mirror subscriber profiles. These copies of the cache entries are copied to the mirror base stations. See col. 5, lines 22-33. Again, this paragraph merely refers to transferring information associated with subscribers (hosts), not access points. As such, Zhang fails to disclose or suggest updating a list of active access points.

Moreover, the Examiner asserts that "the exchange of information between the mirrored access points will presumably result in the first access point instructing the third access point to delete access point information associated with the second access point." Applicant respectfully traverses this assertion. As set forth above, the information that is

exchanged relates to subscribers, not access points. As such, Applicant was unable to find any suggestion in Zhang relating to the deletion of access point information associated with an access point that is no longer active. Moreover, Zhang fails to disclose or suggest instructing an access point to delete access point information associated with another access point that is no longer active.

The use of IP as a transport mechanism does not necessitate that the list will include the IP address for each of the active access points. In fact, nowhere in Zhang is there a suggestion that the subscriber profiles include information associated with the base stations.

The cited references, separately or in combination, fail to disclose or suggest "storing the access point information such that a list of active access points is updated to include the access point information, the list of active access points including access point information associated with one or more active access points." Similarly, the cited references, separately or in combination, fail to disclose or suggest "sending the access point information to a third access point that supports Mobile IP to notify the third access point that the second access point is an active access point." Moreover, none of the cited references disclose or suggest the advantages of the claimed invention, which is to enable access points to be continually updated regarding those access points that are active (e.g., online). Accordingly, Applicant respectfully submits that the pending claims are patentable over the cited references.

In view of the above, Applicants respectfully submit that the independent claims are patentable over the cited art. The dependent claims depend from one of the independent claims and are therefore patentable for at least the same reasons. However, the dependent claims recite additional limitations that further distinguish them from the cited references. The additional limitations recited in the independent claims or the dependent claims are not further discussed, as the above discussed limitations are clearly sufficient to distinguish the claimed invention from the cited references. Thus, it is respectfully requested that the Examiner withdraw the rejection of the claims under 35 USC §103(a). Accordingly, Applicant respectfully submits that the pending claims are patentable over the cited art.

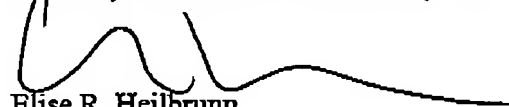
SUMMARY

An early Notice of Allowance is earnestly solicited. If there are any issues remaining which the Examiner believes could be resolved through either a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

Applicants hereby petition for an extension of time which may be required to maintain the pendency of this case, and any required fee for such extension or any further fee required in connection with the filing of this Amendment is to be charged to Deposit Account No. 50-0388 (Order No. CISC263).

Respectfully submitted,

BEYER, WEAVER & THOMAS, LLP



Elise R. Heilbrunn
Reg. No. 42,649

PO Box 70250
Oakland, CA 94612-0250
(510) 663-1100